

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

UNITED STATES OF AMERICA,	)	
ex rel. TRAKHTER,	)	
	)	
Plaintiff-Relator,	)	
	)	No. 1:11-CV-00217-TSB
vs.	)	
	)	JUDGE BLACK
PROVIDER SERVICES, INC.,	)	
et al.,	)	
	)	
Defendants.	)	

**MOTION FOR ATTORNEYS' FEES, COSTS AND EXPENSES**  
**PURSUANT TO 31 U.S.C. § 3730(d)**

Plaintiff, Vladimir Trakhter (“Trakhter” or “Relator”), by and on behalf of his attorneys, moves for an award of reasonable attorneys’ fees, costs and expenses following the successful resolution of these False Claims Act claims, 31 U.S.C. § 3729, *et seq.*

1. In July 2017, a \$19.5 million global settlement was reached between the United States, Relator and Defendants to resolve all pending False Claims Act claims brought by Relator Trakhter (and relators in Case No. 1:12-CV-00935).

2. Relator Trakhter is therefore a prevailing party against Foundations Health Solutions, Inc. f/k/a Provider Services, Inc. and BCFL Holdings, Inc., and Olympia Therapy, Inc. (collectively “Defendants”).

3. The False Claims Act provides that a relator may receive a percentage of the proceeds recovered by the Government, and that “[a]ny such person shall also receive an amount for reasonable expenses ... necessarily incurred, plus reasonable attorneys’ fees and costs. All such expenses, fees, and costs shall be awarded against the defendant.” 31 U.S.C. § 3730(d)(1).

4. Hochman Plunkett Co., L.P.A. (“HP”) and Korein Tillery, LLC (“KT”) (collectively “Relator’s Counsel”) seek recovery of their reasonable attorneys’ fees, costs and expenses under the Act. HP and KT are law firms that represented Relator Trakhter in this matter from its inception in 2010 through the date of settlement.

5. HP incurred fees of \$541,078.50 for 1,045.17 hours expended in this matter through May 4, 2017, plus litigation costs and expenses of \$4,488.90.

6. KT incurred fees of \$866,396.25 for 2,055.84 hours expended in this matter through April 27, 2017, plus litigation costs and expenses of \$20,891.60.

7. Relator’s Counsel also seek fees necessarily incurred in the preparation and litigation of this motion.

8. This motion is brought within fourteen days of filing the stipulation for dismissal to the extent Fed.R.Civ.P. 54(d)(2)(B) applies.

9. Relator’s Counsel will file suggestions in support of this motion within the 45-day period specified in Local Civil Rule 54.2.

WHEREFORE, Relator prays for entry of an order awarding at least \$541,078.50 in fees and \$4,488.90 in costs and expenses to Hochman Plunkett Co., L.P.A. and awarding at least \$866,396.25 in fees and \$20,891.60 in costs and expenses to Korein Tillery, LLC, against Defendants, together with all such further relief as the Court deems just and proper. Expenses will be reimbursed to Relator Trakhter.

Respectfully Submitted,

/s/ James Hochman  
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*CO-COUNSEL FOR PLAINTIFF-RELATOR TRAKHTER  
(Application for Admission Pro Hac Vice Pending)*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served on the 8<sup>th</sup> day of August, 2017 by using the CM/ECF system, which will send notification to the following counsel:

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*Attorney for the United States*

I hereby certify that a copy of the foregoing was served on the 8<sup>th</sup> day of August, 2017 via U.S. Postal Service, postage prepaid, on the following counsel:

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/s/ James Hochman